

- 4 -

Moreover Examiner stated that the disclosure is objected to because of the following informalities, namely:

page 6, lines 10 and 16, reference characters "20" and "22" have both been used to designate cylindrical cutting surface while on page 6, line 10, reference character "20" has been used to designate cylindrical cutting surface and rotating drum. Moreover on page 6, lines 24 and 26, reference character "32" has been used to designate both drive wheel and drive rolls while on page 6, lines 38 and 39 and page 7, line 1, reference character "14" has been used to designate both roll and material. Finally on page 7, lines 20 and 31, reference character "62" has been used to designate both connection and top half.

In this regard, Agent for Applicant respectfully requests the following amendments:

page 6, line 10

after "rotating cylindrical cutting surface 20" add ---or drum
20--

page 6, line 16

change "~~cutting~~ surface 22" to --cutting surface 20--

page 6, line 26

delete "rolls 32" and insert ---wheels 32---

page 6, line 28

delete "~~roll~~ 14" and insert --roll of material 14--

page 6, lines 29,30

delete "~~material 14~~" and insert ---material 12---

35 U.S.C. §102

Moreover, Examiner rejected claims 1 and 3-6 as being anticipated by Nielsen.

In this regard, Agent for Applicant respectfully states Nielsen teaches:

in basis operation as illustrated in Figure 2, as the fabric is deflected over the nose 28 of the cloth rest 16, the pile loops L of the fabric F are projected into the path of

- 5 -

the cutting blades 25 on the shearing cylinder 20 and are cut by the shearing action between the cylinder blades 25 and the cutting edge 26 of the ledger blade 14.

Kindly note that Nielsen does not teach:

- (a) cutting the material or web while the material is in rolling contact on the cylindrical cutting surface during rotation of said cylindrical surface;
- (b) the material is cut through;
- (c) cutting the material or web while said material or web is supported by said rotating cylindrical cutting surface.

In particular Nielsen describes an apparatus that pulls textile fabric over a ledger blade to produce a sharp bend across the fabric width, normal to the direction of travel. This sharp bend splays the fabric pile loops so as to make them accessible to a rotating cylinder with an array of helically mounted linear cutting blades. The fabric maintains its sheet line integrity. The cutting or shearing affects only a surface process to the fabric and does not cut through the fabric (see column 3, lines 34-40).

Applicant on the other hand describes a method and apparatus to effect the cutting of integral pieces from a flexible material web (such as fabric, film or the like) by supporting the web on a rotating cylindrical surface. Independently controlled cutting means are supported by fixed beams spanning parallel to the axis of the cylinder located outside the cylinder.

Accordingly Nielsen does not describe a cylindrical surface, but describes a shearing cylinder. Also Nielsen does not mention cutting wheels or means in either the text or claims but describes cutting blades fixed to a rotating cylinder. The cutting blades of Nielsen are disposed on a rotating cylinder, while the fabric is pulled over a stationary surface and ledger blade.

- 6 -

The cutting edge in Nielsen is a shearing action to affect the surface of the fabric web leaving the web integral (see column 3, lines 34-40).

Applicant on the other hand describes a cutting action through the fabric, to affect a partition of the cut piece from the web.

Moreover Examiner rejected the application on the basis of Malcolm. Kindly note that Malcolm does not teach:

- (a) cutting the material or web while the material is in rolling contact on the cylindrical cutting surface during rotation of said cylindrical surface;
- (b) the material is cut through;
- (c) cutting the material or web while said material or web is supported by said rotating cylindrical cutting surface.

Furthermore Examiner referred to Lin. Kindly note that Lin does not teach the invention as claimed in the amended claims, namely:

- (a) cutting the material or web while the material is in rolling contact on the cylindrical cutting surface during rotation of said cylindrical surface;
- (b) the material is cut through;
- (c) cutting the material or web while said material or web is supported by said rotating cylindrical cutting surface.

Furthermore none of the prior art teach:

- (a) cutting the material or web while the material is in rolling contact on the cylindrical cutting surface during rotation of said cylindrical surface;

- 7 -

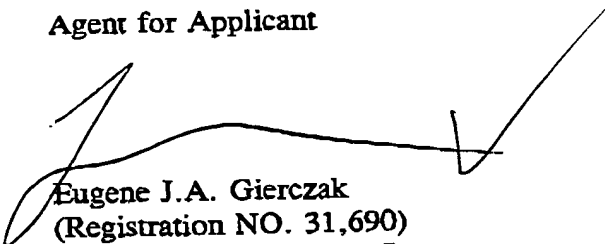
- (b) the material is cut through;
- (c) cutting the material or web while said material or web is supported by said rotating cylindrical cutting surface.

CONCLUSIONS

Agent for Applicant respectfully states that the application is now in condition for immediate allowance and respectfully solicits same.

Yours faithfully,

Agent for Applicant



Eugene J.A. Gierczak
(Registration NO. 31,690)
KEYSER MASON BALL
Barristers & Solicitors
201 City Centre Drive, Suite 701
Mississauga, Ontario Canada L5B 2T4
Telephone No. (905) 276-0403
Telecopier No. (905) 276-2298
*d

File: H:\... \GABUGE - 1\INDUSEVO\CUTTING\US\RESP.2